

12-01-00

PTO/SB/29 (10-00)

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**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231Attorney Docket No.
of Prior Application

47168-00035USC.1

First Named Inventor

Richard J. Lazzara

Examiner Name

Paul Prebilio

Group Art Unit

3738

Express Mail Label No.

EL705451709US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 237,605,
filed on 01/25/99, entitled INFECTION-BLOCKING DENTAL IMPLANT

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendment previously filed on October 13, 2000
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

12/05/2000 GTEFFERA 00000095 100447

01 FC:131

710.00 CH

02 FC:103

360.00 CH

03 FC:102

240.00 CH

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))		40 -20* =	20	x \$ 18.00 =	\$ 360.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		6 -3** =	3	x \$ 80.00 =	240.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 0.00 =	0.00
				BASIC FEE (37 CFR 1.16)	710.00
				Total of above Calculations =	1,310.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					TOTAL = 1,310.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 10 0447/47168-00035USC1a. ☒ Fees required under 37 CFR 1.16.b. ☒ Fees required under 37 CFR 1.17.c. ☐ Fees required under 37 CFR 1.18.8. ☐ A check in the amount of \$_____ is enclosed.9. ☐ Payment by credit card. Form PTO-2038 is attached.10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.11. ☒ New Attorney Docket Number, if desired 47168-00035USC1*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)13. ☐ Other: _____**NOTE:****The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.****14. NEW CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☐ New correspondence address below*(Insert Customer No. or Attach bar code label here)*

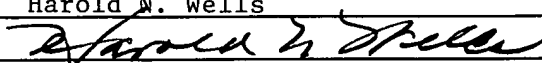
Name	Stephen G. Rudisill				
	Jenkins & Gilchrist				
Address	1445 Ross Avenue				
	Suite 3200				
City	Dallas	State	Texas	Zip Code	75202-2799
Country	U.S.A.	Telephone	312-425-8610	Fax	214-855-4300

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print IType)

Harold N. Wells

Signature



Registration No. (Attorney/Agent)

26,044

Date

November 30, 2000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#20

Pre Amended
J. Byrce
12/11/00

In Re Application Of:

Richard J. Lazzara
Thomas S. Heylmun
Keith D. Beaty

) Docket No.: 47168-00035USC1

) Examiner: Paul Prebilic

) Group Art Unit: 3738

Application No.: 09/237,605

Filed: January 25, 1999

For: INFECTION-BLOCKING DENTAL
IMPLANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231, on November 30, 2000

Signature: *George P. O'Leary*

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Dear Sir:

Please amend claim 27 as follows:

✓ Claim 27, line 4, after "roughened", insert -- titanium
metal -- .

REMARKS

Claims 11-50 remain in the application for further prosecution. Entry of the amendment filed October 13, 2000 is requested in the Continued Prosecution Application. In his Advisory Action of November 2, 2000, the Examiner noted an error

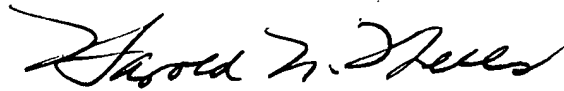
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in the proposed amendment of claim 27, which is corrected in the above preliminary amendment.

Respectfully submitted,

Date: _____

11/30/00



Harold N. Wells,
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Dallas, Texas 75202-2799
For the Applicants